

O I P E S/N 10/671,009

PATENT

DEC 27 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Paul Kawula et al.	Examiner:	Scott M. Getzow
Serial No.:	10/671,009	Group Art Unit:	3762
Filed:	September 25, 2003	Docket:	279.688US1
Title:	ACTIVE FIXATION ASSEMBLY FOR AN IMPLANTABLE DEVICE		

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**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants hereby authorize the Commissioner to charge the fee of \$180.00, as set forth in 37 C.F.R. §1.17(p), to Deposit Account No. 19-0743.

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The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

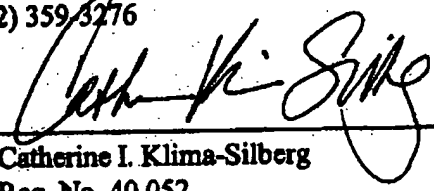
PAUL KAWULA ET AL.

By their Representatives,

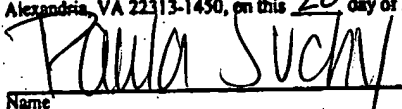
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
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Date Dec. 20, 2004

By

  
Catherine I. Klima-Silberg  
Reg. No. 40,052

**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20 day of December, 2004.

  
Name

  
Signature

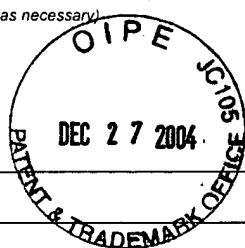
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/671,009
Filing Date	September 25, 2003
First Named Inventor	Kawula, Paul
Group Art Unit	3762
Examiner Name	Getzow, Scott

Sheet 1 of 1

Attorney Docket No: 279.688US1

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-5,447,533	09/05/1995	Vachon, D. J., et al.	10/06/1993
	US-5,531,780	07/02/1996	Vachon, D. J.	06/30/1994
	US-5,833,715	11/10/1998	Vachon, David J., et al.	06/27/1995
	US-6,086,582	07/11/2000	Altman, Peter A., et al.	03/13/1997
	US-6,298,272	10/02/2001	Peterfeso, Randall M., et al.	03/29/1999
	US-6,547,787	04/15/2003	Altman, Peter A., et al.	10/13/1999
	US-6,569,144	05/27/2003	Altman, Peter A.	02/12/2002
	US-6,671,562	12/30/2003	Osypka, Thomas P., et al.	10/28/2002
	US-6,726,662	04/27/2004	Altman, Peter A.	05/23/2003

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T <sup>2</sup>
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**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		GUIDANT CORPORATION, "Physican's Manual EASYTRAK 2", Guidant Physican's Manual, Models 4515/4517/4518/4520, (2002), 30 pgs.	

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached